

[DRAFT]

MARCH 14, 2022

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend the Foreign Agents Registration Act of 1938 to treat certain tax-exempt organizations receiving funding from Russian foreign principals as agents of a foreign principal under such Act, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. BUDD introduced the following bill; which was referred to the Committee  
on \_\_\_\_\_

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**A BILL**

To amend the Foreign Agents Registration Act of 1938 to treat certain tax-exempt organizations receiving funding from Russian foreign principals as agents of a foreign principal under such Act, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Countering Russian  
5       Influence in our Politics Act of 2022”.

1 **SEC. 2. COVERAGE OF CERTAIN TAX-EXEMPT ORGANIZA-**  
2 **TIONS RECEIVING FUNDING FROM RUSSIAN**  
3 **FOREIGN PRINCIPALS UNDER FOREIGN**  
4 **AGENTS REGISTRATION ACT.**

5 (a) COVERAGE.—The Foreign Agents Registration  
6 Act of 1938, as amended (22 U.S.C. 611 et seq.) is  
7 amended—

8 (1) by redesignating sections 12, 13, and 14 as  
9 sections 13, 14, and 15, respectively; and

10 (2) by inserting after section 11 the following:

11 **“SEC. 12. APPLICABILITY TO CERTAIN TAX-EXEMPT ORGA-**  
12 **NIZATIONS RECEIVING FUNDING FROM RUS-**  
13 **SIAN FOREIGN PRINCIPALS.**

14 **“(a) APPLICABILITY.—**

15 **“(1) IN GENERAL.—**Subject to the provisions of  
16 this section, for the purposes of this Act an organi-  
17 zation described in subsection (b) is an agent of a  
18 foreign principal.

19 **“(2) EXCEPTIONS.—**

20 **“(A) NONAPPLICATION OF WAIVER FOR**  
21 **ENTITIES FILING REPORTS UNDER LOBBYING**  
22 **DISCLOSURE ACT OF 1995.—**Section 3(h) shall  
23 not apply to an organization described in sub-  
24 section (b)(1) and (b)(2).

25 **“(B) WAIVER FOR ORGANIZATIONS SOLIC-**  
26 **ITING FUNDS OUTSIDE UNITED STATES FOR**

1 HUMANITARIAN ASSISTANCE.—Section 3(d)(3)  
2 shall apply to an organization described in sub-  
3 section (b) notwithstanding that the organiza-  
4 tion solicits and collects funds and contributions  
5 outside of the United States.

6 “(b) DESCRIPTION.—An organization is described in  
7 this subsection if—

8 “(1) the organization is a partnership, associa-  
9 tion, corporation, organization, or any other com-  
10 bination of individuals described in section  
11 501(c)(3), 501(c)(4), 501(c)(5), or 501(c)(6) of the  
12 Internal Revenue Code of 1986 and exempt from  
13 taxation under such Code;

14 “(2) the organization receives income, money,  
15 or any other thing of value from a Russian foreign  
16 principal; and

17 “(3) the organization is not otherwise consid-  
18 ered an agent of a foreign principal under section 1.

19 “(c) DEFINITIONS.—As used in this section—

20 “(1) The term ‘Russian foreign principal’ in-  
21 cludes—

22 “(A) the government of the Russian Fed-  
23 eration;

24 “(B) a political party of the Russian Fed-  
25 eration;

1 “(C) a national of the Russian Federation;

2 “(D) a partnership, association, corpora-  
3 tion, organization or other combination of per-  
4 sons organized under the laws of or having its  
5 principal place of business in the Russian Fed-  
6 eration; or

7 “(E) a partnership, association, corpora-  
8 tion, organization or other combination of per-  
9 sons organized under the laws of or having its  
10 principal place of business in a foreign country  
11 other than the Russian Federation that receives  
12 more than half of its funding from an entity de-  
13 scribed in subparagraphs (A) through (D).

14 “(2) The term ‘government of the Russian Fed-  
15 eration’ includes any person or group of persons ex-  
16 ercising sovereign de facto or de jure political juris-  
17 diction over the Russian Federation, or over any  
18 part of such country, and includes any subdivision of  
19 any such group and any group or agency to which  
20 such sovereign de facto or de jure authority or func-  
21 tions are directly or indirectly delegated. Such term  
22 shall include any faction or body of insurgents with-  
23 in such country, or a faction or body of insurgents  
24 recognized by the Russian Federation that are in an-  
25 other country assuming to exercise governmental au-

1       thority whether such faction or body of insurgents  
2       has or has not been recognized by the United States.

3           “(3) The term ‘political party of the Russian  
4       Federation’ includes any organization or any other  
5       combination of individuals in the Russian Federa-  
6       tion, or any unit or branch thereof, having for an  
7       aim or purpose, or which is engaged in any activity  
8       devoted in whole or in part to, the establishment, ad-  
9       ministration, control, or acquisition of administra-  
10      tion or control of the government of the Russian  
11      Federation or subdivision thereof, or the furtherance  
12      or influencing of the political or public interests,  
13      policies, or relations of a government of the Russian  
14      Federation or a subdivision thereof.”.

15      (b) MODIFICATION OF CONTENTS OF REPORTS.—  
16      Section 2(a) of such Act (22 U.S.C. 612(a)) is amended—

17           (1) in paragraph (4)—

18               (A) by striking “Copies” and inserting  
19               “(A) Except as provided in subparagraph (B),  
20               copies”; and

21               (B) by adding at the end the following:

22               “(B) In the case of an organization described in  
23               section 12(b), a statement that the registrant is an  
24               agent of a foreign principal pursuant to section  
25               12(a), copies of each written agreement, and the

1 terms and conditions of each oral agreement, includ-  
2 ing all modifications of such agreements, or, where  
3 no contract exists, a full statement of the existing  
4 and proposed activity or activities engaged in or to  
5 be engaged in by the registrant as a direct or indi-  
6 rect result of receiving income, money, or any other  
7 thing of value from a Russian foreign principal (as  
8 defined in section 12(c)(1)), including a detailed  
9 statement of any such activity which is a political  
10 activity.”; and

11 (2) in paragraph (9)—

12 (A) by striking “Copies” and inserting  
13 “(A) Except as provided in subparagraph (B),  
14 copies”; and

15 (B) by adding at the end the following:

16 “(B) In the case of an organization described in  
17 section 12(b), a statement that the registrant is an  
18 agent of a foreign principal pursuant to section  
19 12(a), copies of each written agreement and the  
20 terms and conditions of each oral agreement, includ-  
21 ing all modifications of such agreements, or, where  
22 no contract exists, a full statement of the existing  
23 and proposed activity or activities engaged in or to  
24 be engaged in by the registrant as a direct or indi-  
25 rect result of receiving income, money, or any other

1 thing of value from a Russian foreign principal (as  
2 defined in section 12(c)(1)) or for any person other  
3 than a foreign principal any activities which require  
4 his registration hereunder.”.

5 (c) EFFECTIVE DATE.—The amendments made by  
6 this section shall take effect 30 days after the date of the  
7 enactment of this Act.

8 **SEC. 3. DISCLOSURE OF RECEIPTS AND ACTIVITIES BY**  
9 **CERTAIN ORGANIZATIONS SINCE THE RUS-**  
10 **SIAN FEDERATION’S INVASION OF CRIMEA.**

11 (a) APPLICABILITY TO PRIOR RECEIPTS.—Not later  
12 than 90 days after the date of enactment of this Act, a  
13 qualifying organization shall submit a statement to the At-  
14 torney General containing the following information:

15 (1) The organization’s current name, principal  
16 business address, and all other business addresses in  
17 the United States or elsewhere.

18 (2) If the organization is a partnership, the  
19 current name, residence addresses, and nationality  
20 of each partner and a true and complete copy of its  
21 articles of copartnership; if an association, corpora-  
22 tion, organization, or any other combination of indi-  
23 viduals, the current name, residence addresses, and  
24 nationality of each current director and officer and  
25 of each person performing the functions of a director

1 or officer and a true and complete copy of its char-  
2 ter, articles of incorporation, association, constitu-  
3 tion, and bylaws, and amendments thereto; a copy of  
4 every other instrument or document and a statement  
5 of the terms and conditions of every oral agreement  
6 relating to its organization, powers, and purposes;  
7 and a statement of its ownership and control.

8 (3) Copies of each written agreement, and the  
9 terms and conditions of each oral agreement, includ-  
10 ing all modifications of such agreements, or, where  
11 no contract exists, a full statement of the activities  
12 engaged in by the organization as a direct or indi-  
13 rect result of receiving on or after February 1, 2014,  
14 income, money, or any other thing of value from a  
15 Russian foreign principal, including a detailed state-  
16 ment of any such activity which is a political activ-  
17 ity.

18 (4) A detailed statement of the money and  
19 other things of value spent or disposed of by the  
20 qualifying organization as a direct or indirect result  
21 of receiving on or after February 1, 2014, income,  
22 money, or any other thing of value from a Russian  
23 foreign principal, and a detailed statement of any  
24 independent expenditures, contributions of money, or  
25 other things of value (regardless of source) made on



1 or after February 1, 2014, (other than contributions  
2 the making of which is prohibited under the terms  
3 of section 613 of title 18, United States Code) in  
4 connection with an election to any political office or  
5 in connection with any primary election, convention,  
6 or caucus held to select candidates for any political  
7 office.

8 (5) Such other statements, information, or doc-  
9 uments pertinent to the purposes of this Act as the  
10 Attorney General, having due regard for the national  
11 security and the public interests of the United  
12 States, may require.

13 (6) Such further statements and such further  
14 copies of documents as are necessary to make the  
15 statement and supplements thereto, and the copies  
16 of documents furnished therewith, not misleading.

17 (b) EXCEPTION FOR DISCONTINUED ENTITIES.—  
18 Subsection (a) does not apply to a qualifying organization  
19 that has permanently ceased operations on or before the  
20 date of enactment of this Act.

21 (c) PENALTY.—A qualifying organization that know-  
22 ingly fails to submit the statement required under sub-  
23 section (a) shall be fined not more than \$10,000.

1 (d) CLARIFYING REGISTRATION REQUIREMENT  
2 UNDER FARA.—Nothing in this section shall be con-  
3 strued—

4 (1) to require a qualifying organization to reg-  
5 ister as an agent of a foreign principal under section  
6 2 of the Foreign Agents Registration Act of 1938,  
7 as amended (22 U.S.C. 612) if the organization is  
8 not described in section 12(b) of such Act (as added  
9 by section 2(a)) on or after the effective date of sec-  
10 tion 12(b) of such Act; or

11 (2) to waive the requirement of subsection (a)  
12 in the case of a qualifying organization which is de-  
13 scribed in section 12(b) of such Act (as added by  
14 section 2(a)) on or after the effective date of section  
15 12(b) of such Act.

16 (e) DEFINITIONS.—As used in this section:

17 (1) The term “critical mineral” means any min-  
18 eral included on the list of critical minerals pub-  
19 lished in the notice of the Secretary of the Interior  
20 entitled “Final List of Critical Minerals 2018” (83  
21 Fed. Reg. 23295 (May 18, 2018)).

22 (2) The term “political activities” has the  
23 meaning given such term in section 1(o) of the For-  
24 eign Agents Registration Act of 1938, as amended  
25 (22 U.S.C. 611(o)).

1           (3) The term “qualifying organization” means  
2           an organization which meets each of the following:

3                   (A) The organization is a partnership, as-  
4                   sociation, corporation, organization, or any  
5                   other combination of individuals described in  
6                   section 501(c)(3), 501(c)(4), 501(c)(5), or  
7                   501(c)(6) of the Internal Revenue Code of 1986  
8                   and exempt from taxation under such Code.

9                   (B) On or after February 1, 2014, the or-  
10                  ganization knowingly received income, money,  
11                  or any other thing of value from a Russian for-  
12                  eign principal.

13                  (C) The organization has engaged in polit-  
14                  ical activities to discourage producing oil, petro-  
15                  leum products, natural gas, or critical minerals  
16                  in the United States.

17           (4) The term “Russian foreign principal” has  
18           the meaning given such term in section 12(c)(1) of  
19           the Foreign Agents Registration Act of 1938, as  
20           amended (as added by section 2(a)).